Review of Risk 10: Inadequate engagement with changes in public policy, legislation, and practice affecting Higher Education

Brief description of the paper

This paper provides an overview of the activity undertaken to date in relation to the management of Risk 10 during the current academic year.

Action requested

The Committee is asked to review the range of activities undertaken in connection with the management of Risk 10.

Resource implications

Does the paper have resource implications? No

Risk assessment

Does the paper include a risk analysis? Yes – inherent in the report.

Equality and diversity

Does the paper have equality and diversity implications? No

Freedom of information

Can this paper be included in open business? Yes

Originator of the paper

Rona Smith, Senior Strategic Planner
Alexis Cornish, Director of Planning and Deputy Secretary
The aims of the Risk Review are twofold

- to enable the Lead Manager of the particular risk to review and assess whether the risk is being adequately managed, and what further actions should be undertaken to ensure required or desirable improvements in the management of the risk are undertaken
- to provide the Risk Management Committee, and through them, the University Court, assurance that the Risk is being adequately managed

### Risk 10: Inadequate engagement with changes in public policy, legislation, and practice affecting Higher Education, e.g.

- UK Government
- Scottish Government/Scottish Enterprise/SFC
- City of Edinburgh
- European Union
- Research Councils

| Inherent risk: (in the absence of any mitigation) | Critical |
| Residual risk: (with current mitigating actions in place) | Moderate |
| Likelihood of risk event occurring (as assessed with current mitigating actions in place) | Possible |

| Senior Manager: (taking lead responsibility for management of Risk) | Principal |
| Risk Review prepared by: | Director of Planning |
| Date: | 14 December 2010 |

### Threats: (if risk event occurs or risk is not managed)

- Loss of funding
- Increased regulatory burden/unwanted constraints on activities and plans
- Reputational damage and loss of trust

### Opportunities: (other benefits that might accrue on successful management of risk)

- Increased funding
- Reduced regulatory burden
- Reputational enhancement and improved ability to influence

### Current Management Processes or Mitigating Actions:

The Principal's Policy and Executive Officer, the Director of Planning, and the Director of Communications and Marketing work closely with the Principal, the Vice Principal for Planning, Resources and Research Policy, and those other colleagues identified in the Risk Register as supporting the Principal in managing this risk. Key activities undertaken in managing this risk are:

1. Membership of sector-wide representational bodies including Universities Scotland, Universities UK, the Russell Group, the European Universities Association and the League of European Research Universities. In addition to identifying and providing analysis of policy and proposed legislation of direct relevance to the sector, these bodies provide an opportunity for the University to provide input to collective lobbying activity undertaken on behalf of members.
2. The Principal and the University Secretary influence public policy through informal liaison, networking and their role in shaping the agendas of Universities Scotland, UUK and the Russell Group.

3. The Director of Planning, the Director of Communications and Marketing, and the Principal’s Policy and Executive Officer monitor policy developments and publications in the City, Scottish, UK and EU contexts and assess the likely impact of developments in consultation with professional colleagues (where appropriate). The Director of Communications and Marketing supports the Principal in influencing public policy through networking and informal liaison with Scottish Ministers, MSPs, councillors, parliamentary officials and senior civil servants.

4. The Director of Planning is responsible for monitoring and influencing policy developments within the Scottish Funding Council. This includes both formal liaison (committee membership, responses to funding council circulars and consultation documents) as well as informal liaison.

5. In addition to the Principal and the University Secretary, all other members of the University’s senior management team play an important role in influencing public policy through their membership of various bodies.

Governance and Strategic Planning web pages contain information around legislation and consultations (http://www.ed.ac.uk/schools-departments/governance-strategic-planning/public-policy).

The following table provides a more detailed overview of the roles and responsibilities in relation to ensuring effective engagement with changes in public policy, legislation and practice affecting Higher Education.

<table>
<thead>
<tr>
<th>Policy Area</th>
<th>Monitoring</th>
<th>Formal liaison</th>
<th>Informal liaison</th>
</tr>
</thead>
</table>
| SFC         | SFC circulars & publications.  
Membership of Universities Scotland.  
Monitoring of HEFCE policy development in relation to SFC | Representation of the University on Universities Scotland and its sub-committees [i.e. incl. USLTC].  
Responses to SFC/Executive consultations.  
Formal correspondence. | Issue-based meetings & communications with senior SFC officers. |

<p>| Responsible | Director of Planning | Director of Planning, Principal, various | Director of Planning, Principal, various |
|-------------------------------|-----------|-------------------------------------------------|-------------------------------------------------|-------------------------------------------------|
| <strong>Responsible</strong>               | <strong>Director of Planning, VP Planning, Resources and Research Policy</strong> | <strong>Director of Planning, VP Planning, Resources and Research Policy</strong> | <strong>Director of Planning, VP Planning, Resources and Research Policy</strong> | <strong>Director of Planning, VP Planning, Resources and Research Policy, PSG, various</strong> |</p>
<table>
<thead>
<tr>
<th><strong>Responsible</strong></th>
<th><strong>Director of Academic Standards and Quality Assurance, VP Academic Enhancement</strong></th>
<th><strong>Director of Academic Standards and Quality Assurance, VP Academic Enhancement</strong></th>
<th><strong>Director of Academic Standards and Quality Assurance, VP Academic Enhancement</strong></th>
<th><strong>Director of Academic Standards and Quality Assurance, Principal, VP Academic Enhancement</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible</td>
<td>Policy &amp; Executive Officer</td>
<td>Director of C&amp;M</td>
<td>Principal, various</td>
<td></td>
</tr>
<tr>
<td>Responsible</td>
<td>Policy &amp; Executive Officer</td>
<td>Director of C&amp;M</td>
<td>Principal, Director of C&amp;M</td>
<td></td>
</tr>
<tr>
<td>Westminster</td>
<td>Method</td>
<td>Monitoring publications Membership of Universities UK</td>
<td>Consultation responses Invitation of local MPs to briefings &amp; events. Public Policy network.</td>
<td>Meetings &amp; communications with Ministers and MPs.</td>
</tr>
<tr>
<td>Responsible</td>
<td>Director of C&amp;M, Principal</td>
<td>Director of C&amp;M, Principal</td>
<td>Director of C&amp;M, Principal</td>
<td></td>
</tr>
<tr>
<td>Whitehall &amp; Research Councils</td>
<td>Method</td>
<td>Universities UK monitoring publications. Monitoring of UK government consultation exercises</td>
<td>Consultation responses. Attendance at sector-wide events on current issues UoE staff representation on Research Councils and related bodies</td>
<td>Meetings &amp; communications with Ministers, Research Council Heads and senior civil servants.</td>
</tr>
<tr>
<td>Responsible</td>
<td>Policy &amp; Executive Officer, Director of ERI</td>
<td>Director of ERI, VP Planning, Resources and Research Policy, various</td>
<td>Principal, Heads of College, Director of ERI, VP Planning, Resources and Research Policy</td>
<td></td>
</tr>
</tbody>
</table>
### City of Edinburgh Council

**Method**
- Monitoring relevant committee business.
- Monitoring local press.
- Attendance at relevant committee meetings

**Responsible**
- Director of C&M, Director of E&B

**Meeting**
- Lord Provost’s membership of Court.
- Formal meetings & presentations.
- Consultation responses.
- Membership of various Council bodies.

**Meetings & communications with councillors.**
- Contact with Council officials.

### Europe

**Method**
- Monitoring press and EU publications.
- UUK Europe Unit & Scotland Europa publications.

**Responsible**
- VP Planning, Resources and Research Policy, VP International, Director of ERI

**Meeting**
- Consultation responses.
- Formal correspondence.
- Membership of Scotland Europa, LERU and EUA.

**Meetings & communications with MEPs, and Scottish and UK officials.**

### Monitoring of Risk / Performance Indicators:

Inadequate management of the risk might lead to:
- Missed opportunities for input into key policy developments/Consultation responses submitted after deadline
- Poor relationships with contacts in key policy areas
- Consistent failure to have representations taken on board during consultation exercises

Potential relevant key performance indicators:
- It is suggested that the nature of this risk does not lend itself to simple quantitative measurement and that management performance is better made by means of the Committee’s qualitative judgement.

### Senior Manager’s Assessment of Current Management of Risk:

<table>
<thead>
<tr>
<th>Are the current management processes and mitigating actions operating satisfactorily?</th>
<th>Yes/No</th>
<th>If no, please explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
coupled with the evidence from the Performance Indicators provide you with assurance that the risk is being adequately managed?

Is the Residual Risk “rating” above acceptable given the nature of the risk? (If no, please state what “rating” the University should be regarding as acceptable, and identify below the actions that are to be put in place to achieve an acceptable level of management/mitigation)

<table>
<thead>
<tr>
<th>Further Actions</th>
<th>Responsibility</th>
<th>To be completed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Note – where actions above are to be shown as the responsibility of an individual, then those individuals must agree to the action and the timescale. Any actions not yet agreed with the individual, or potential areas for action that require to be discussed, to be included in the table below.

Proposed additional actions (either required to achieve an acceptable level of adequacy of management/mitigation, or planned to enhance the existing management/mitigation processes)

1. N/A
2. N/A

etc